

FEDERAL DEFENDER SERVICES
OF WISCONSIN, INC.

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February 1, 2024

The Honorable James D. Peterson
United States Chief District Judge
United States District Court
for the Western District of Wisconsin
120 N. Henry Street
Madison, Wisconsin 53703

Re: *Joshua Gehde v. Chris Buesgen*, No. 21-cv-809-jdp (W.D. Wis.)

Dear Judge Peterson:

These federal habeas proceedings are stayed while Mr. Gehde exhausts certain claims in state court. Consistent with the Court's Order of January 23, 2023, the defense submits this status update, which summarizes the efforts of the Wisconsin Innocence Project on Mr. Gehde's behalf. *See* R.10.

Since the last status report, Mr. Gehde's state case remains in the investigation stage. Namely, in November and December they received several open records requests, including the one mentioned in the previous status report that was over a year old. This resulted in a large number of files to review. Additionally, numerous other open record requests remain pending, including one from last spring that is necessary for continued communication with experts and will provide further information about the physical evidence that still exists. Simultaneously, the defense is still in the process of locating and interviewing several fact witnesses.

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In short, the defense's investigation remains ongoing, which has slowed the defense's ability to prepare and file a § 974.06 motion in state court. The defense will provide another status update to the Court on or before July 24, 2024. *See* R.10 (directing defense counsel to provide a status report every six months while these proceedings remain stayed).

Respectfully,

/s/ Joseph A. Bugni

Joseph A. Bugni

Associate Federal Defender

CC: Joshua Gehde, Supervised Living Facility (Winnebago, WI)
Rachel Burg, Director, Wisconsin Innocence Project